

STATE BOARD OF EDUCATION

CABINET ROOM

TOWNSEND BUILDING
DOVER, DELAWARE

A G E N D A

Dover, Delaware
Document Number
95-01/10/05/01

May 20, 2010

Regular Meeting
1:00 p.m.

Next Meeting: June 17, 2010

Agenda

I. Opening (*Tab 1*)

- A. Call to Order**
- B. Approval of Agenda**
- C. Approval of Minutes**
 - Work Session – April 15, 2010**
 - Regular Meeting – April 15, 2010**

II. Formal Public Comment

Time has been allocated at the beginning of the meeting for individuals or groups to address the State Board on general issues. Prior to the meeting being called to order persons wishing to address the Board should sign up on the appropriate form giving their name and topic they will address. Individuals or groups wishing to address the Board on specific agenda items should so note on the sign up sheet. They will be called upon at that time on the agenda. Each group should choose one representative to speak and comments should be limited to five minutes. Speakers will be recognized by the Board President in the order their names appear. If a large number of people sign up to speak, the Board President may at his/her discretion, limit the number of persons allowed to speak.

Please Note: The Board is not able to respond to questions by or engage in a dialogue with those offering comments during the Board meeting. In addition, comments made on matters governed by specific procedures which establish a formal record cannot and will not be considered by the Board in making its decisions.

III. State Board Business

- A. Reports/Discussions**
 - A.1 Committee Reports from State Board Members**
- B. Budget Items**
 - None.
- C. Other**
 - None.

IV. Presentations (Tab 2)

A. State Board of Education

None.

B. Department of Education

B.1 Race to the Top Update – 15 Minutes

(Secretary's Office)

Daniel Cruce, Deputy Secretary/Chief of Staff, will update the members of the State Board of Education on Race to the Top.

B.2 Delaware Comprehensive Assessment System (DCAS) Update – 15 Minutes

(Teaching and Learning Branch)

Sylvia Gillpatrick, Education Associate, Adaptive Assessment will give an update on the new assessment program.

B.3 School Accountability Sanctions - Restructuring of Schools - 20 minutes

(College & Workforce Readiness Branch)

Amelia Hodges, Director, Career, Technical and Title I Resources and Lori Duerr, Education Associate, LEA and School Success Support will provide an overview of the school accountability system and the sanctions that are inherent to each accountability rating.

Specific emphasis on the Department's and the State Board's role regarding plans for restructuring schools.

C. Other Presentations

None.

D. Secretary's Report, Review and Discussion

V. Action Items

A. Department of Education Regulations (*Tab 3*)

A.1 Regulation 545 K to 12 School Counseling Programs (For Discussion)

The Secretary of Education seeks the consent of the State Board of Education 14 DE Admin. Code 545 K to 12 School Counseling Programs. The amendments include the following: 1) requirement that each school have a written counseling plan rather than a district plan; 2) specificity of the American School Counselors Association's (ASCA) National Standards for School Counseling Programs; 3) the specific elements of the ASCA's national model; 4) the plans are to be updated annually rather than every 3 years; 4) requirement that the written plan be on file at the Department; and 5) clarification that the Department may periodically review the written school plans. In addition, a charter school is not required to follow this regulation for purposes of how the school is addressing the accepted models of student development (14 DE Admin. Code 275 Charter Schools).

A.2 Regulation 940 Early Admission to Kindergarten for Gifted Students (For Discussion)

The Secretary of Education seeks the consent of the State Board of Education 14 DE Admin. Code 940 Early Admission to Kindergarten for Gifted Students. The amendments reflect a change to the assessment tools for evaluation the readiness of children for entry into kindergarten. This regulation was reviewed under the five year cycle. The Department received comments and input from the Statewide Advisory Council for Gifted Education.

B. Professional Standards Board (*Tab 5*)

B.1 Amend 1503 Educator Mentoring (For Action)

The Professional Standards Board, acting in cooperation and collaboration with the Department of Education, seeks the consent of the State Board of Education to amend regulation DE Admin. Code 1503 Educator Mentoring. This regulation requires amendments to reflect recent changes in regulation DE Admin. Code 1511 Issuance and Renewal of Continuing License. In addition, amendments include allowing additional mentoring

opportunities for employing authorities and clarity in the Department's responsibilities.

B.2 Amend 1511 Issuance and Renewal of Continuing License (For Action)

The Professional Standards Board, acting in cooperation and collaboration with the Department of Education, seeks the consent of the State Board of Education to amend regulation DE Admin. Code 1511 Issuance and Renewal of Continuing License. This regulation requires a minor amendment to clarify requirements for educators with expired Continuing Licenses.

B.3 Amend 1582 School Nurse (For Action)

The Professional Standards Board, acting in cooperation and collaboration with the Department of Education, seeks the consent of the State Board of Education to amend regulation DE Admin. Code 1582 School Nurse. This regulation requires some formatting changes to conform to other Standard Certificates, and the updating of certification requirements. This regulation sets forth the requirements for a School Nurse.

C. Charter Schools (*Tab 7*)

C.1 Decision on an Application to open a New Charter: First State Math and Science Academy (For Action)

An application to open a new charter was submitted by the founding members of First State Math and Science Academy. The applicant is seeking approval to open a charter school in New Castle County serving 200 students in grades 6 and 7 and expanding to 500 students in grades 6-10 by the fourth year of operation. The Charter School Accountability Committee has issued its report on the application. A public hearing on the application was held on April 29, 2010.

The Secretary will make her recommendation with respect to the application.

**C.2 Decision on an Application to Open a New Charter: Gateway Lab School
(For Action)**

An application to open a new charter was submitted by the founding members of Gateway Lab School. The applicant is seeking approval to open a charter school in New Castle County serving 180 students in grades 3-7 and expanding to 288 students in grades 1-8 by the fourth year of operation. The Charter School Accountability Committee has issued its report on the application. A public hearing on the application was held on April 29, 2010.

The Secretary will make her recommendation with respect to the application.

**C.3 Decision on an Application to open a New Charter: Rosalie Obara City Charter School
(For Action)**

An application to open a new charter was submitted by the founding members of Rosalie Obara City Charter School. The applicant is seeking approval to open a charter school in New Castle County serving 120 students in grades 5-6 and expanding to 256 students in grades 5-8 by the fourth year of operation. The Charter School Accountability Committee has issued its report on the application. A public hearing on the application was held on April 29, 2010.

The Secretary will make her recommendation with respect to the application.

**C.4 Application to Modify an Existing Charter: Academy of Dover Charter School
(For Action)**

This school's Board of Directors has submitted an Application to Modify the school's charter seeking approval to decrease the number of days on the school's calendar and reduce the approved enrollment figure. The Charter School Accountability Committee has issued its report on the application. A public hearing on the application was held on April 29, 2010.

The Secretary will make her recommendation with respect to the application.

**C.5 Application to Modify an Existing Charter: MOT Charter School
(For Information)**

This school's Board of Directors has submitted an Application to Modify the school's charter seeking approval to expand their facility by adding an additional 19,000 square feet. This modification falls within the range for a minor modification, as defined by DOE Regulation 275 9.9.1.7.

The Secretary will make her recommendation with respect to the application.

**C.6 Application to Modify an Existing Charter: Pencader Business and Finance Charter High School
(For Information)**

This school's Board of Directors has submitted an Application to Modify the school's charter seeking approval to restructure the lease agreement and to purchase the buildings resulting in yearly savings that can be utilized to expand and support programs. This modification falls within the range for a minor modification, as defined by DOE Regulation 275 9.9.1.10.

The Secretary will make her recommendations with respect to the application.

**C.7 Progress on Conditions Placed on Academy of Dover Charter School
(For Information)**

Academy of Dover Charter School was placed on probation at the October 23, 2008 State Board meeting. A monthly report continues to be presented to the Board as to the progress the school is making to meet conditions placed on the charter.

**C.8 Charter Schools Update
(For Information)**

The monthly update on charter schools is attached.

D. Other Action Items (*Tab 8*)

None.

E. Appeals and Reviews (*Tab 9*)

**E.1 I.H. v. Christina School District Board of Education (2009-08)
(For Action)**

The State Board may consider the decision of the hearing officer in this appeal.

**E.2 V.S. v. Christina School District Board of Education (2010-04)
(For Information)**

Notice is given that this appeal was received by the Executive Secretary on behalf of the State Board of Education on April 1, 2010, who in accordance with prior authorization by the State Board appointed Dr. Thomas Pledgie on April 12, 2010 to act as the hearing officer.

VI. Information Items (*Tab 10*)

A. Federal Grants by District

(Finance Reform & Resource Management Branch)

The monthly review of federal grants by districts as awarded thus far under project proposals is attached.

**B. Regulation 251 Family Educational Rights and Privacy Act (FERPA)
(For Information)**

The Secretary of Education intends to amend 14 DE Admin. Code 251 Family Educational Rights and Privacy Act (FERPA). This regulation was reviewed subject to the five year review requirement. This regulation contemplates the state, local school districts and charter schools develop, adopt, and maintain policies for educational records that are consistent with the federal Family Educational Rights and Privacy Act (FERPA).

The regulation was proposed for readoption in the December 2009 Register of Regulations. Based on comments received from the Governors Advisory Council for Exceptional Citizens and the State Council for Persons with Disabilities the Department is republishing with amendments. The amendments address students served in the Department of Correction system.

C. Personnel

(Secretary of Education's Office)

Appointment

Karen Field-Rogers, Associate Secretary of Education, Financial Reform and Resource Management Branch, effective April 26, 2010.

Promotion

Emily Falcon, Education Associate, Cost Recovery Project to Director, Financial Reform Resources effective, April 26, 2010.

Retirement

Mary Rose D'Annunzio, Administrative Secretary II, College and Workforce Readiness Branch, effective May 1, 2010.

Resignations

Mike Jackson, Associate Secretary of the Financial Reform and Resource Management Branch, effective April 9, 2010.

Wendy B. Pickett, Director, Accountability Resources, Teaching and Learning Branch, effective May 4, 2010.

NOTE: During the course of this meeting, the State Board of Education may enter into Executive Session to consider strategy with respect to pending and potential litigation or with respect to personnel issues. The State Board may also take breaks.

The times designated on the agenda are approximate and are listed for administrative purposes only. The State Board reserves the right, pursuant to Section 10004(e) of the Freedom of Information Act, to hear any matter out of its order during the meeting.